

**MINUTES OF THE SENATE JUDICIARY
STANDING COMMITTEE
Wednesday, February 7, 2001
Room 416, STATE CAPITOL BUILDING**

Members Present: Sen. David L. Gladwell, Chair
Sen. Millie M. Peterson
Sen. Pete Suazo
Sen. D. Chris Buttars
Sen. Lyle W. Hillyard
Sen. John L. Valentine

Staff Present: Jerry D. Howe, Committee Analyst
Deborah Pryor, Committee Secretary

Public Speakers Present:
Douglas G. Mortensen, Attorney
Colin King, Attorney
Leon Sorenson, Utah Medical Association
Robert Burkman, Utah Contractor Association
Taz Beisinger, Utah Home Builders Association
Joey Gibbons, Association of General Contractors
Paul Boyden, State-wide Association of Prosecuting Attorneys
Allen Edwards, Risk Management
Jeff Sprole, Utah Education Association
Geoff W. Leonard, Utah Schools Employees Association

Visitors list on file

Committee Chair Pro Tempore Peterson called the meeting to order at 8:40 a.m.

1. **S.B. 154 Indigent Defendant Legal Services** (*D. Gladwell*)
Sen. Hillyard explained the bill.

MOTION: Sen Hillyard moved to pass S.B. 154 out favorably.

The motion passed unanimously with Sen. Suazo and Sen. Gladwell absent for the vote.

MOTION: Sen. Hillyard moved to Saunter until 9:00 a.m.

The motion passed unanimously with Sen. Suazo and Sen. Gladwell absent for the vote.

MOTION: Sen. Peterson moved to approve minutes of February 7, 2001.

The motion passed unanimously with Sen. Suazo absent at the vote.

2. **H.B. 13 Recovery for Special Damages for Injuries** (*A. L. Tyler*)
Rep. Tyler explained the bill and introduced Mr. Douglas Mortensen, Attorney, and Mr. Colin King, Attorney, each of whom spoke in favor of the bill.

MOTION: Sen. Hillyard moved to adopt the following amendments:

1. Page 1, Line 24a: Lilac After "**ONLY FOR**" delete "**PRE-DEATH**"
2. Page 1, Line 24b: Lilac After "**SPECIAL DAMAGES**" insert "**OCCURRING PRIOR TO DEATH**"

The motion passed unanimously.

MOTION: Sen. Hillyard moved to pass H.B. 13 out favorably as amended.

The motion passed unanimously.

3. **S.B. 167 Penalty for Wrongful Mechanics' Lien** (*L. S. Poulton*)
Sen. Poulton explained the bill. Mr. Robert Burkman, Director, Utah Contractor Association, spoke in favor of the bill.

MOTION: Sen. Buttars moved to pass S.B. 167 out favorably.

The motion passed unanimously.

4. **H.B. 230 Search Warrant Amendment** (*D. Bowman*)
Sen. Bowman explained the bill. He told the committee that the State-wide Association of Prosecuting Attorneys, Office of the Attorney General, Law Enforcement Legislative Committee, and Commission on Criminal and Juvenile Justice support the bill.

MOTION: Sen. Valentine moved to adopt the following amendment:

1. Page 1, Line 14: After "**10:00 p.m.**" insert "**, local time.**"

The motion passed unanimously.

MOTION: Sen. Peterson moved to pass H.B. 230 out favorably as amended.

The motion passed unanimously.

MOTION: Sen. Peterson moved to put H.B. 230 on the Consent Calendar.

The motion passed unanimously.

5. S.B. 182 Liability Coverage for Teachers (D. Gladwell)

Sen. Gladwell explained the bill. Mr. Jeff Sprole, Utah Education Association and Mr. Geoff Leonard, Utah Schools Employees Associations, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to adopt 1st Substitute S.B. 182.

The motion passed unanimously with Sen. Buttars absent for the vote.

MOTION: Sen. Suazo moved to pass 1st Substitute S.B. 182 out favorably.

The motion passed unanimously with Sen. Buttars absent for the vote.

MOTION: Sen. Peterson moved to adjourn the meeting.

The motion passed unanimously with Sen. Buttars absent for the vote.

Sen. Gladwell adjourned the meeting at 9:55 a.m.

Minutes recorded by Deborah Pryor, Secretary

Sen. David L. Gladwell, Chair